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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 30th April, 1973:—

BILL No. 55 OF 1973

A Bill to establish and incorporate a teaching and affiliating University for the hill areas of the North-Eastern region.

WHEREAS it is expedient to establish and incorporate a teaching and affiliating University for the benefit of the people of the hill areas of the North-Eastern region and to develop the intellectual, academic and cultural background of the said people;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution, resolutions have been passed by the Legislatures of the States of Meghalaya and Nagaland to the effect that the setting up of a Central University for the hill areas of the North-Eastern region shall be regulated by Parliament by law;

BE it enacted by Parliament in the Twenty-fourth Year of the Republic of India as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the North-Eastern Hill University Act, 1973.

(2) It extends to the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram.

(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. In this Act, and in all Statutes made hereunder, unless the context otherwise requires,—

(*a*) "Academic Council" means the Academic Council of the University;

(*b*) "academic staff" means such categories of staff as are designated as academic staff by the Ordinances;

(*c*) "Board of Studies" means the Board of Studies of the University;

(*d*) "Chancellor", "Vice-Chancellor" and "Pro-Vice-Chancellor" mean, respectively, the Chancellor, Vice-Chancellor and Pro-Vice-Chancellor of the University;

(*e*) "College" means a College maintained by, or admitted to the privileges of, the University;

(*f*) "Court" means the Court of the University;

(*g*) "Department" means a Department of Studies, and includes a Centre of Studies;

(*h*) "employee" means any person appointed by the University, and includes teachers and other staff of the University;

(*i*) "Executive Council" means the Executive Council of the University;

(*j*) "Hall" means a unit of residence or of corporate life for the students of the University, College or Institution, provided, maintained or recognised by the University;

(*k*) "Institution" means an academic institution, not being a College, maintained by, or admitted to the privileges of, the University;

(*l*) "North-Eastern region" means the North-Eastern region of India comprising the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram;

(*m*) "Principal" means the Head of a College or an Institution, and includes where there is no Principal, the person for the time being duly appointed to act as Principal, and, in the absence of the Principal or the acting Principal, a Vice-Principal duly appointed as such;

(*n*) "recognised teachers" means such persons as are recognised by the University for the purpose of imparting instruction in a College or an Institution admitted to the privileges of the University;

(*o*) "School" means a School of Studies of the University;

(*p*) "Statutes", "Ordinances" and "Regulations", mean, respectively, the Statutes, Ordinances and Regulations of the University for the time being in force;

(*q*) "teachers of the University" means Professors, Readers, Lecturers and such other persons as may be appointed for imparting instruction or conducting research in the University or in any College or Institution maintained by the University and are designated as teachers by the Ordinances;

(*r*) "University" means the North-Eastern Hill University.

The University.

3. (1) There shall be established a University by the name of "North-Eastern Hill University".

(2) The headquarters of the University shall be at Shillong and it shall have campuses in the States of Meghalaya and Nagaland; it may also establish campuses at such other places within its jurisdiction as it may deem fit.

(3) The first Chancellor and the first Vice-Chancellor and the first members of the Court, the Executive Council and the Academic Council and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of "North-Eastern Hill University".

(4) The University shall have perpetual succession and a common seal, and shall sue and be sued by the said name.

Objects.

4. The objects of the University shall be to disseminate and advance knowledge by providing instructional and research facilities in such branches of learning as it may deem fit; to pay special attention to the improvement of the social and economic conditions and welfare of the people of the hill areas of the North-Eastern region and, in particular, their intellectual, academic and cultural advancement.

Powers of the University.

5. The University shall have the following powers, namely:—

(1) to provide for instruction in such branches of learning as the University may, from time to time, determine and to make provision for research and for the advancement and dissemination of knowledge;

(2) to take such academic steps as would contribute to the improvement of the economic conditions and welfare of the people of the hill areas of the North-Eastern region;

(3) to grant, subject to such conditions as the University may determine, diplomas or certificates to, and confer degrees and other academic distinctions on the basis of examinations, evaluation or any other method of testing, on persons, and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;

(4) to organise and to undertake extra-mural studies and extension services;

(5) to confer honorary degrees or other distinctions in the manner prescribed by the Statutes;

(6) to provide instruction, including correspondence and such other courses, to such persons as are not members of the University, as it may determine;

(7) to institute principalships, professorships, readerships, lecturerships, and other teaching or academic posts required by the University and to appoint persons to such principalships, professorships, readerships, lecturerships or other posts;

(8) to recognise persons for imparting instruction in any College or Institution admitted to the privileges of the University;

(9) to appoint persons working in any other University or organisation as teachers of the University for a specified period;

(10) to create administrative, ministerial and other posts and to make appointments thereto;

(*11*) to co-operate or collaborate with any other University or authority in such manner and for such purposes as the University may determine;

(*12*) to establish such campuses, centres, specialised laboratories or other units for research and instruction as are, in the opinion of the University, necessary for the furtherance of its objects;

(*13*) to institute and award fellowships, scholarships, studentships, medals and prizes;

(*14*) to establish and maintain Colleges, Institutions and Halls;

(*15*) to admit to its privileges Colleges and Institutions not maintained by the University; to withdraw all or any of those privileges in accordance with such conditions as may be prescribed by the Statutes; and to recognise Halls not maintained by the University and to withdraw any such recognition;

(*16*) to declare a College, an Institution or a Department as an autonomous College or an Institution or a Department, as the case may be;

(*17*) to determine standards for admission into the University, which may include examination, evaluation or any other method of testing;

(*18*) to demand and receive payment of fees and other charges;

(*19*) to supervise the residences of the students of the University and to make arrangements for promoting their health and general welfare;

(*20*) to make special arrangements in respect of women students as the University may consider desirable;

(*21*) to regulate and enforce discipline among the employees and students of the University and take such disciplinary measures in this regard as may be deemed necessary;

(*22*) to make arrangements for promoting the health and general welfare of the employees;

(*23*) to acquire, hold, manage and dispose of property, movable or immovable, including trust and endowment properties for the purposes of the University;

(*24*) to borrow, with the approval of the Central Government, on the security of the property of the University, money for the purposes of the University;

(*25*) to do all such other acts and things as may be necessary, incidental or conducive to the attainment of all or any of its objects.

Jurisdiction.

6. (*1*) The jurisdiction of the University shall extend to the States of Meghalaya and Nagaland and the Union territories of Arunachal Pradesh and Mizoram.

(*2*) No College or Institution situated within the local limits of the jurisdiction of the University shall be compulsorily affiliated to the University, and affiliation shall be granted by the University only to such

Colleges or Institutions as may agree to accept the Statutes and Ordinances.

(3) Any College or Institution admitted to the privileges of the University shall cease to be associated with, or be admitted to the privileges of, any other University.

(4) No College or Institution situated within the local limits of the jurisdiction of the University, but not admitted to its privileges, shall be associated with, or be admitted to the privileges of, any other University except with the previous approval of the Government of the State in which, or the Administrator of the Union territory in which, such College or Institution is situate.

University open to all classes, castes and creed.

7. The University shall be open to persons of either sex and of whatever race, creed, caste, or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted therein, as a teacher or student, or to hold any office therein, or to graduate thereat:

Provided that nothing in this section shall be deemed to prevent the University from making special provisional for admission of students of the weaker sections of the people in the North-Eastern region and, in particular, of the Scheduled Castes and the Scheduled Tribes.

Visitor.

8. (1) The President of India shall be the Visitor of the University.

(2) The Visitor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University, its buildings, laboratories and equipment, and of any College or Institution maintained by the University or admitted to its privileges; and also of the examinations, teaching and other work conducted or done by the University and to cause an inquiry to be made in like manner in respect of any matter connected with the administration or finances of the University, Colleges or Institutions.

(3) The Visitor shall, in every case, give notice of his intention to cause an inspection or inquiry to be made,—

(a) to the University, if such inspection or inquiry is to be made in respect of the University, College or Institution maintained by it, or

(b) to the management of the College or Institution, if the inspection or inquiry is to be made in respect of a College or an Institution admitted to the privileges of the University,

and the University or the management, as the case may be, shall have the right to make such representations to the Visitor, as it may consider necessary.

(4) After considering the representations, if any, made by the University or the management, as the case may be, the Visitor may cause to be made such inspection or inquiry as is referred to in sub-section (2).

(5) Where any inspection or inquiry has been caused to be made by the Visitor, the University or the management, as the case may be, shall be entitled to appoint a representative who shall have the right to be present and be heard at such inspection or inquiry.

(6) The Visitor may, if the inspection or inquiry is made in respect of the University or any College or Institution maintained by it, address the Vice-Chancellor with reference to the result of such inspection or inquiry, and the Vice-Chancellor shall communicate to the Executive Council the views of the Visitor with such advice as the Visitor may be pleased to offer upon the action to be taken thereon.

(7) The Visitor may, if the inspection or inquiry is made in respect of any College or Institution admitted to the privileges of the University, address the management concerned through the Vice-Chancellor with reference to the result of such inspection or inquiry, his views thereon and such advice as he may be pleased to offer upon the action to be taken thereon.

(8) The Executive Council or the management, as the case may be, shall communicate through the Vice-Chancellor to the Visitor such action, if any, as it is proposed to take or has been taken upon the result of such inspection or inquiry.

(9) Where the Executive Council or the management does not, within a reasonable time, take action to the satisfaction of the Visitor, the Visitor may, after considering any explanation furnished or representation made by the Executive Council or management, issue such directions as he may think fit and the Executive Council or management, as the case may be, shall comply with such directions.

(10) Without prejudice to the foregoing provisions of this section, the Visitor may, by order in writing, annul any proceeding of the University which is not in conformity with this Act, the Statutes or Ordinances:

Provided that before making any such order, he shall call upon the University to show cause why such an order should not be made, and, if any cause is shown within a reasonable time, he shall consider the same.

(11) The Visitor shall have such other powers as may be prescribed by the Statutes.

Chief Rector.

9. The Governor of the States of Meghalaya and Nagaland shall be the Chief Rector of the University.

Officers of the University.

10. The following shall be the officers of the University:—

(1) The Chancellor;

(2) The Vice-Chancellor;

(3) The Pro-Vice-Chancellors;

(4) The Deans of Schools;

(5) The Registrar;

(6) The Finance Officer; and

(7) Such other officers as may be declared by the Statutes to be officers of the University.

The Chancellor

11. (1) The Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Chancellor shall, by virtue of his office, be the Head of the University.

(3) The Chancellor shall, if present, preside at the convocations of the University held for conferring degrees.

The Vice-Chancellor.

12. (1) The Vice-Chancellor shall be appointed by the Visitor in such manner as may be prescribed by the Statutes.

(2) The Vice-Chancellor shall be the principal executive and academic officer of the University, and shall exercise general supervision and control over the affairs of the University and give effect to the decisions of all the authorities of the University.

(3) The Vice-Chancellor may, if he is of opinion that immediate action is necessary on any matter, exercise any power conferred on any authority of the University by or under this Act and shall report to such authority the action taken by him on such matter:

Provided that if the authority concerned is of opinion that such action ought not to have been taken, it may refer the matter to the Visitor whose decision thereon shall be final:

Provided further that any person in the service of the University who is aggrieved by the action taken by the Vice-Chancellor under this sub-section shall have the right to appeal against such action to the Executive Council within three months from the date on which decision on such action is communicated to him and thereupon the Executive Council may confirm, modify or reverse the action taken by the Vice-Chancellor.

(4) The Vice-Chancellor shall exercise such other powers and perform such other functions as may be prescribed by the Statutes or Ordinances.

The Pro-Vice-Chancellors.

13. Every Pro-Vice-Chancellor shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Deans of Schools.

14. Every Dean of a School shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

The Registrar.

15. (1) The Registrar shall be appointed in such manner as may be prescribed by the Statutes.

(2) The Registrar shall have the power to enter into agreements, sign documents and authenticate records on behalf of the University and shall exercise such other powers and perform such other duties as may be prescribed by the Statutes.

The Finance Officer.

16. The Finance Officer shall be appointed in such manner and shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Other Officers.

17. The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.

Authorities of the University.

18. The following shall be the authorities of the University:—

(1) The Court;

(2) The Executive Council;

(3) The Academic Council;

(4) The Boards of Schools; and

(5) Such other authorities as may be declared by the Statutes to be authorities of the University.

The Court.

19. (1) The constitution of the Court and the term of office of its members shall be prescribed by the Statutes.

(2) Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—

(a) to review, from time to time, the broad policies and programmes of the University and to suggest measures for the improvement and development of the University;

(b) to consider and pass resolutions on the annual report and the annual accounts of the University and the audit report on such accounts;

(c) to advise the Visitor in respect of any matter which may be referred to it for advice; and

(d) to perform such other functions as may be prescribed by the Statutes.

The Executive Council.

20. (1) The Executive Council shall be the principal executive body of the University.

(2) The constitution of the Executive Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.

The Academic Council.

21. (1) The Academic Council shall be the principal academic body of the University and shall, subject to the provisions of this Act, the Statutes and Ordinances, co-ordinate and exercise general supervision over the academic policies of the University.

(2) The constitution of the Academic Council, the term of office of its members and its powers and duties shall be prescribed by the Statutes.

Other authorities of the University.

22. The constitution, powers and functions of the Boards of Schools and of such other authorities as may be declared by the Statutes to be authorities of the University, shall be prescribed by the Statutes.

Planning Board.

23. (1) There shall be constituted a Planning Board of the University which shall advise generally on the planning and development of the University and keep under review the standard of education and research in the University.

(2) The Planning Board shall consist of—

(a) the Vice-Chancellor, who shall be the Chairman, and

(b) not more than eight persons of high academic standing who shall be appointed in such manner as may be prescribed by the Statutes.

(3) The Visitor may determine a date with effect from which the Planning Board shall stand dissolved.

Power to make Statutes.

24. Subject to the provisions of this Act, the Statutes may provide for all or any of the following matters, namely:—

(a) the constitution, powers and functions of the authorities and other bodies of the University, as may be constituted from time to time;

(*b*) the election and continuance in office of the members of the said authorities and bodies, the filling of vacancies of members, and all other matters relative to those authorities and other bodies for which it may be necessary or desirable to provide;

(*c*) the appointment, powers and duties of the officers of the University and their emoluments;

(*d*) the appointment of teachers of the University and other academic staff and their emoluments;

(*e*) the appointment of teachers and other academic staff working in any other University or organisation for a specified period for undertaking a joint project;

(*f*) the conditions of service of employees including provision for pension, insurance and provident fund, the manner of termination of service and disciplinary action;

(*g*) the principles governing seniority of service of employees;

(*h*) the procedure for arbitration in cases of dispute between employees or students and the University;

(*i*) the procedure for appeal to the Executive Council by any employee or student against the action of any officer or authority of the University;

(*j*) the establishment and recognition of Students' Union or associations of teachers, academic staff or other employees;

(*k*) the participation of students in the affairs of the University;

(*l*) the conferment of honorary degrees;

(*m*) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

(*n*) the institution of fellowships, scholarships, studentships, medals and prizes;

(o) the maintenance of discipline among the students;

(*p*) the establishment and abolition of Schools, Departments, Halls, Colleges and Institutions;

(*q*) the conditions under which Colleges and Institutions may be admitted to the privileges of the University and the withdrawal of such privileges;

(*r*) the delegation of powers vested in the authorities or officers of the University; and

(*s*) all other matters which by this Act are to be, or may be, provided by the Statutes.

Statutes how made.

25. (*1*) The first Statutes are those set out in the Schedule.

(*2*) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes referred to in sub-section (*1*):

Provided that the Executive Council shall not make, amend or repeal any Statute affecting the status, powers or constitution of any authority

of the University until such authority has been given an opportunity of expressing an opinion in writing on the proposed changes, and any opinion so expressed shall be considered by the Executive Council.

(3) Every new Statute or addition to the Statutes or any amendment or repeal of a Statute shall require the approval of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Visitor.

(5) Notwithstanding anything contained in the foregoing sub-sections, the Visitor may make new or additional Statutes or amend or repeal the Statutes referred to in sub-section (1) during the period of three years immediately after the commencement of this Act:

Provided that the Visitor may, on the expiry of the said period of three years make, within one year from the date of such expiry, such detailed Statutes as he may consider necessary and such detailed Statutes shall be laid before both Houses of Parliament.

Ordinances.

26. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

(a) the admission of students to the University and their enrolment as such;

(b) the courses of study to be laid down for all degrees, diplomas and certificates of the University;

(c) the medium of instruction and examination;

(d) the award of degrees, diplomas, certificates and other academic distinctions, the qualifications for the same and the means to be taken relating to the granting and obtaining of the same;

(e) the fees to be charged for courses of study in the University and for admission to the examinations, degrees and diplomas of the University;

(f) the conditions of award of fellowships, scholarships, studentships, medals and prizes;

(g) the conduct of examinations, including the term of office and of appointment and the duties of examining bodies, examiners and moderators;

(h) the conditions of residence of the students of the University;

(i) the special arrangements, if any, which may be made for the residence, discipline and teaching of women students and the prescribing of special courses of studies for them;

(j) the appointment and emoluments of employees other than those for whom provision has been made in the Statutes;

(k) the establishment of Centres of Studies, Boards of Studies, Special Centres, specialised laboratories and other Committees;

(l) the manner of co-operation and collaboration with other Universities and authorities including learned bodies or associations;

(*m*) the creation, composition and functions of any other body which is considered necessary for improving the academic life of the University;

(*n*) such other terms and conditions of service of teachers and other academic staff as are not prescribed by the Statutes;

(o) the management of Colleges and Institutions established by the University;

(*p*) the supervision and management of Colleges and Institutions admitted to the privileges of the University; and

(*q*) all other matters which by this Act or the Statutes may be provided for by the Ordinances.

(*2*) The first Ordinances shall be made by the Vice-Chancellor with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

Regulations.

27. The authorities of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for the conduct of their own business and that of the Committees appointed by them and not provided for by this Act, the Statutes or the Ordinances in the manner prescribed by the Statutes.

Annual report.

28. (*1*) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or after such date as may be prescribed by the Statutes and the Court shall consider the report in its annual meeting.

(*2*) The Court shall submit the annual report to the Visitor along with its comments, if any.

Annual accounts.

29. (*1*) The annual accounts and balance-sheet of the University shall be prepared under the directions of the Executive Council and shall once at least every year and at intervals of not more than fifteen months be audited by the Comptroller and Auditor-General of India.

(*2*) The annual accounts when audited shall be published in the Gazette of India and a copy of the accounts together with the report of the Comptroller and Auditor-General shall be submitted to the Court and the Visitor along with the observations of the Executive Council.

(*3*) Any observations made by the Visitor on the annual accounts shall be brought to the notice of the Court and the observations of the Court, if any, shall, after being considered by the Executive Council, be submitted to the Visitor.

Conditions of service of employees.

30. (*1*) Every employee shall be appointed under a written contract which shall be lodged with the University and a copy of which shall be furnished to the employee concerned.

(*2*) Any dispute arising out of a contract between the University and any employee shall, at the request of the employee, be referred to a Tribunal of Arbitration consisting of one member appointed by the

Executive Council, one member nominated by the employee concerned and an umpire appointed by the Visitor. The decision of the Tribunal shall be final, and no suit shall lie in any civil court in respect of the matters decided by the Tribunal. Every such request shall be deemed to be a submission to arbitration upon the terms of this section within the meaning of the Arbitration Act, 1940. 2 of 1940

Procedure of appeal and arbitration in disciplinary cases against students.

31. (*1*) Any student or candidate for an examination whose name has been removed from the rolls of the University by the orders or resolution of the Vice-Chancellor, Discipline Committee or Examination Committee, as the case may be, and who has been debarred from appearing at the examinations of the University for more than one year, may, within ten days of the date of receipt of such orders or copy of such resolution by him, appeal to the Executive Council and the Executive Council may confirm, modify or reverse the decision of the Vice-Chancellor or the Committee, as the case may be.

(*2*) Any dispute arising out of any disciplinary action taken by the University against a student shall, at the request of such student, be referred to a Tribunal of Arbitration and the provisions of sub-section (*2*) of section 30 shall, as far as may be, apply to a reference made under this sub-section.

Right to appeal.

32. Every employee or student of the University or of a College or Institution shall, notwithstanding anything contained in this Act, have a right to appeal, within such time as may be prescribed by the Statutes, to the Executive Council against the decision of any officer or authority of the University or of the Principal or the management of any College or Institution, as the case may be, and thereupon the Executive Council may confirm, modify or reverse the decision appealed against.

Provident and pension funds.

33. (*1*) The University shall constitute for the benefit of its employees such pension or provident fund or provide such insurance schemes as it may deem fit in such manner and subject to such conditions as may be prescribed by the Statutes.

(*2*) Where such provident or pension fund has been so constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund, as if it were a Government provident fund. 19 of 1925.

Disputes as to constitution of University authorities and bodies.

34. If any question arises as to whether any person has been duly elected or appointed as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Visitor whose decision thereon shall be final.

Constitution of Committees.

35. Where any authority of the University is given power by this Act or the Statutes to appoint Committees, such Committees shall, save as otherwise provided, consist of the members of the authority concerned and of such other persons (if any) as the authority in each case may think fit

Filling of casual vacancies.

36. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed, elected or co-opted the member whose place has become vacant and the person appointed, elected or co-opted to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills would have been a member.

Proceedings of University authorities or bodies not invalidated by vacancies.

37. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Protection of action taken in good faith.

38. No suit or other legal proceedings shall lie against any officer or employee of the University for anything which is in good faith done or intended to be done in pursuance of any of the provisions of this Act, the Statutes or Ordinances.

Mode of proof of University record.

39. A copy of any receipt, application, notice, order, proceeding, resolution of any authority or Committee of the University, or other documents in possession of the University, or any entry in any register duly maintained by the University, if certified by the Registrar, shall be received as *prima facie* evidence of such receipt, application, notice, order, proceeding or resolution, documents or the existence of entry in the register and shall be admitted as evidence of the matters and transactions therein where the original thereof would, if produced, have been admissible in evidence, notwithstanding anything contained in the Indian Evidence Act, 1872 or in any other law for the time being in force.

1 of 1872.

Power to remove difficulties.

40. If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as appear to it to be necessary or expedient for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of three years from the commencement of this Act.

Transitional provisions.

41. Notwithstanding anything contained in this Act and the Statutes—

(*a*) the first Chancellor and the first Vice-Chancellor shall be appointed by the Visitor and each of the said officers shall hold office for a term of five years;

(*b*) the first Registrar and the first Finance Officer shall be appointed by the Visitor and each of the said officers shall hold office for a term of three years;

(*c*) the first Court and the first Executive Council shall consist of not more than thirty members and eleven members respectively, who shall be nominated by the Visitor and shall hold office for a term of three years;

(*d*) the first Academic Council shall be constituted on the expiry of a period of six months from the commencement of this Act and shall consist of not more than twenty-one members, who shall be nominated by the Visitor and shall hold office for a term of three years:

Provided that if any vacancy occurs in the above offices or authorities, the same shall be filled by appointment or nomination, as the case may be, by the Visitor, and the person so appointed or nominated shall hold office for so long as the officer or member in whose place he is appointed or nominated would have held office, if such vacancy had not occurred.

Completion of courses of students in Colleges or Institutions affiliated to the University.

42. Notwithstanding anything contained in this Act, or in the Statutes or the Ordinances, any student of a College or Institution, who, immediately before the admission of such College or Institution to the privileges of the North-Eastern Hill University, was studying for a degree, diploma or certificate of the Gauhati University, shall be permitted by the North-Eastern Hill University to complete his course for that degree, diploma or certificate, as the case may be, and the North-Eastern Hill University and such College or Institution shall provide for the instruction and examination of such student in accordance with the syllabus of studies of the Gauhati University.

THE SCHEDULE

[*See* section 25 (*1*)]

THE STATUTES OF THE UNIVERSITY

The Vice-Chancellor.

1. (*1*) The Vice-Chancellor shall be a whole-time salaried officer of the University.

(*2*) The Vice-Chancellor shall hold office for a term of five years from the date on which he enters upon his office and shall be eligible for re-appointment for not more than another term:

Provided that notwithstanding the expiry of the said period of five years, he shall continue in office until his successor is appointed and enters upon his office:

Provided further that the Visitor may direct that a Vice-Chancellor, whose term of office has expired, shall continue in office for such period, not exceeding a total period of one year, as may be specified in the direction.

(*3*) Notwithstanding anything contained in clause (*2*), a person appointed as Vice-Chancellor shall, if he completes the age of sixty-five years during the term of his office or any extension thereof, retire from office.

(*4*) The emoluments and other terms and conditions of service of the Vice-Chancellor shall be as follows:—

(*i*) There shall be paid to the Vice-Chancellor a salary of two thousand and five hundred rupees per mensem and he shall be entitled, without payment of rent, to use a furnished residence throughout his term of office and no charge shall fall on the Vice-Chancellor personally in respect of the maintenance of such residence.

(*ii*) The Vice-Chancellor shall not be entitled to the benefits of the University Provident Fund:

Provided that where an employee of—

(*a*) the University or College or Institution maintained by, or affiliated to, it; or

(*b*) any other University or College or Institution maintained by, or affiliated to, that University,

is appointed as Vice-Chancellor, he shall be allowed to continue to contribute to the provident fund to which he is a subscriber, and the contribution of the University shall be limited to what he had been contributing immediately before his appointment as Vice-Chancellor.

(*iii*) The Vice-Chancellor shall be entitled to travelling allowances at such rates as may be fixed by the Executive Council.

(*iv*) The Vice-Chancellor shall be entitled to leave on full pay for one-eleventh of the period spent by him on active service.

(*v*) The Vice-Chancellor shall also be entitled, on medical grounds or otherwise, to leave without pay for a period not exceeding three months during the term of his office:

Provided that such leave may be converted into leave on full pay to the extent to which he is entitled to leave under sub-clause (*iv*).

(5) If the office of the Vice-Chancellor becomes vacant due to death, resignation or otherwise or if he is unable to perform his duties owing to absence, illness or any other cause, the Pro-Vice-Chancellor or if there is more than one Pro-Vice-Chancellor, the senior-most Pro-Vice-Chancellor, shall perform the duties of the Vice-Chancellor until a new Vice-Chancellor assumes office or until the existing Vice-Chancellor attends to the duties of his office, as the case may be:

Provided that if a Pro-Vice-Chancellor is not available, the senior-most Professor shall perform the duties of the Vice-Chancellor.

Powers and duties of the Vice-Chancellor.

2. (*1*) The Vice-Chancellor shall be *ex-officio* Chairman of the Court, the Executive Council, the Academic Council and the Finance Committee, and shall, in the absence of the Chancellor, preside at the Convocations of the University held for conferring degrees. The Vice-Chancellor shall be entitled to be present at, and to address, any meeting of any authority or other body of the University, but shall not be entitled to vote thereat unless he is a member of such authority or body.

(*2*) It shall be the duty of the Vice-Chancellor to see that this Act, these Statutes, the Ordinances and the Regulations are duly observed, and he shall have all powers necessary to ensure such observance.

(*3*) The Vice-Chancellor shall have the power to convene or cause to be convened meetings of the Court, the Executive Council, the Academic Council and the Finance Committee.

Pro-Vice-Chancellors.

3. (*1*) Every Pro-Vice-Chancellor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor:

Provided that where the recommendation of the Vice-Chancellor is not accepted by the Executive Council, the matter shall be referred to the Visitor who may either appoint the person recommended by the Vice-Chancellor or ask the Vice-Chancellor to recommend another person to the Executive Council:

Provided further that the Executive Council may, on the recommendation of the Vice-Chancellor, appoint a Professor to discharge the duties of a Pro-Vice-Chancellor in addition to his own duties as a Professor.

(2) The term of office of a Pro-Vice-Chancellor shall be such as may be decided by the Executive Council, but it shall not in any case exceed five years or until the expiration of the term of office of the Vice-Chancellor, whichever is earlier, and he shall be eligible for re-appointment:

Provided that a Pro-Vice-Chancellor shall retire on attaining the age of sixty-five years.

(3) The emoluments and other terms and conditions of service of a Pro-Vice-Chancellor shall be such as may be prescribed by the Ordinances.

(4) A Pro-Vice-Chancellor shall assist the Vice-Chancellor in respect of such matters as may be specified by the Vice-Chancellor in this behalf, from time to time, and shall also exercise such powers and perform such duties as may be assigned or delegated to him by the Vice-Chancellor.

Registrar.

4. (1) The Registrar shall be a whole-time salaried officer of the University.

(2) The emoluments and other terms and conditions of service of the Registrar shall be such as may be prescribed by the Ordinances:

Provided that the Registrar shall retire on attaining the age of sixty years:

Provided further that a Registrar shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year whichever is earlier.

(3) When the office of the Registrar is vacant or when the Registrar is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(4) (*a*) The Registrar shall have power to take disciplinary action against such of the employees, excluding teachers and academic staff, as may be specified in the orders of the Executive Council and to suspend them pending inquiry, to administer warnings to them or to impose on them the penalty of censure or the withholding of increment:

Provided that no such penalty shall be imposed unless the person concerned has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(*b*) An appeal shall lie to the Vice-Chancellor against any order of the Registrar imposing any of the penalties specified in sub-clause (*a*).

(*c*) In a case where the inquiry discloses that a punishment beyond the powers of the Registrar is called for, the Registrar shall, upon conclusion of the inquiry, make a report to the Vice-Chancellor along with his recommendations:

Provided that an appeal shall lie to the Executive Council against an order of the Vice-Chancellor imposing any penalty.

(5) The Registrar shall be *ex-officio* Secretary of the Executive Council, the Academic Council and the Boards of Schools, but shall not be deemed to be a member of any of these authorities. He shall be *ex-officio* Member-Secretary of the Court.

(6) It shall be the duty of the Registrar,—

(*a*) to be the custodian of the records, the common seal and such

other property of the University as the Executive Council shall commit to his charge;

(*b*) to issue all notices convening meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools, the Boards of Studies, the Boards of Examiners and of any Committees appointed by the authorities of the University;

(*c*) to keep the minutes of all the meetings of the Court, the Executive Council, the Academic Council, the Boards of Schools and of any Committees appointed by the authorities of the University;

(*d*) to conduct the official correspondence of the Court, the Executive Council and the Academic Council;

(*e*) to arrange for and superintend the examinations of the University in accordance with the manner prescribed by the Ordinances;

(*f*) to supply to the Visitor, copies of the agenda of the meetings of the authorities of the University as soon as they are issued and the minutes of such meetings;

(*g*) to represent the University in suits or proceedings by or against the University, sign powers of attorney and verify pleadings or depute his representative for the purpose; and

(*h*) to perform such other duties as may be specified in these Statutes, the Ordinances or the Regulations or as may be required, from time to time, by the Executive Council or the Vice-Chancellor.

Finance Officer.

5. (*1*) The Finance Officer shall be a whole-time salaried officer of the University.

(*2*) The emoluments and other terms and conditions of service of the Finance Officer shall be such as may be prescribed by the Ordinances:

Provided that a Finance Officer shall retire on attaining the age of sixty years:

Provided further that the Finance Officer shall, notwithstanding his attaining the age of sixty years, continue in office until his successor is appointed and enters upon his office or until the expiry of a period of one year whichever is earlier.

(*3*) When the office of the Finance Officer is vacant or when the Finance Officer is, by reason of illness absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(*4*) The Finance Officer shall be *ex-officio* Secretary of the Finance Committee, but shall not be deemed to be a member of such Committee.

(*5*) The Finance Officer shall—

(*a*) exercise general supervision over the funds of the University and shall advise it as regards its financial policy; and

(*b*) perform such other financial functions as may be assigned to him by the Executive Council or as may be prescribed by these Statutes or the Ordinances:

Provided that the Finance Officer shall not incur any expenditure or make any investment exceeding ten thousand rupees without the previous approval of the Executive Council.

(*6*) Subject to the control of the Executive Council, the Finance Officer shall—

(*a*) hold and manage the property and investments of the University including trust and endowed property;

(*b*) ensure that the limits fixed by the Executive Council for recurring and non-recurring expenditure for a year are not exceeded and that all moneys are expended on the purposes for which they are granted or allotted;

(*c*) be responsible for the preparation of annual accounts and the budget of the University and for their presentation to the Executive Council;

(*d*) keep a constant watch on the state of the cash and bank balances and on the state of investments;

(*e*) watch the progress of the collection of revenue and advise on the methods of collection employed;

(*f*) ensure that the registers of buildings, land, furniture and equipment are maintained up-to-date and that stock-checking is conducted, of equipment and other consumable materials in all offices, Special Centres, specialised laboratories, Colleges and Institutions maintained by the University;

(*g*) call for explanation for unauthorised expenditure and for other financial irregularities and suggest disciplinary action against persons at fault; and

(*h*) call for from any office, Centre, laboratory, College or Institution maintained by the University, any information or returns that he may consider necessary for the performance of his duties.

(7) The receipt of the Finance Officer or of the person or persons duly authorised in this behalf by the Executive Council for any money payable to the University shall be sufficient discharge for payment of such money.

6. (1) Every Dean of a School of Studies shall be appointed by the Vice-Chancellor from among the Professors in the School for a period of three years and he shall be eligible for re-appointment:

Provided that a Dean on attaining the age of sixty years shall cease to hold office as such:

Provided further that if at any time there is no Professor in a School, the Vice-Chancellor, or a Pro-Vice-Chancellor if authorised by the Vice-Chancellor in this behalf, shall exercise the powers of the Dean of the School.

(2) When the office of the Dean is vacant or when the Dean is, by reason of illness, absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(3) The Dean shall be the Head of the School and shall be responsible for the conduct and maintenance of the standards of teaching and research in the School. The Dean shall have such other functions as may be prescribed by the Ordinances.

(4) The Dean shall have the right to be present and to speak at any meeting of the Boards of Studies or Committees of the School, as the case may be, but shall not have the right to vote thereat unless he is a member thereof.

Heads of Departments.

7. (1) In the case of Departments which have more than one Professor, the Head of the Department shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor from among the Professors.

(2) In the case of Departments where there is only one Professor, the Executive Council shall have the option to appoint, on the recommendation of the Vice-Chancellor, either the Professor or a Reader as the Head of the Department:

Provided that it shall be open to a Professor or Reader to decline the offer of appointment as the Head of the Department.

(3) A person appointed as the Head of the Department shall hold office as such for a period of three years and shall be eligible for re-appointment.

(4) A Head of a Department may resign his office at any time during his tenure of office.

(5) A Head of a Department shall perform such functions as may be prescribed by the Ordinances.

Deans of Students' Welfare

8. (1) Every Dean of Students' Welfare shall be appointed from amongst the teachers of the University, not below the rank of a Reader, by the Executive Council on the recommendation of the Vice-Chancellor.

(2) Every Dean appointed under clause (1) shall be a whole-time officer and shall hold office for a term of three years and shall be eligible for re-appointment:

Provided that the Executive Council may, if it is considered necessary, appoint, on the recommendation of the Vice-Chancellor, a teacher, not below the rank of a Reader, to discharge the duties of the Dean of Students' Welfare in addition to his duties as such teacher, and in such a case, the Executive Council may sanction a suitable allowance to be paid to him.

(3) A person who is appointed as a Dean of Students' Welfare shall continue to hold his lien on his substantive post and shall be eligible to all the benefits that would have otherwise accrued to him, but for his appointment as the Dean of Students' Welfare.

(4) When the office of a Dean of Students' Welfare is vacant or when the Dean of Students' Welfare is, by reason of illness or absence or any other cause, unable to perform the duties of his office, the duties of the office shall be performed by such person as the Vice-Chancellor may appoint for the purpose.

(5) The duties and powers of a Dean of Students' Welfare shall be prescribed by the Ordinances.

Proctors

9. (1) Every Proctor shall be appointed by the Executive Council on the recommendation of the Vice-Chancellor and shall exercise such powers and perform such duties as may be assigned to him by the Vice-Chancellor.

(2) Every Proctor shall hold office for a term of two years and shall be eligible for re-appointment.

Librarians.

10. (1) Every Librarian shall be appointed by the Executive Council on the recommendation of a Selection Committee constituted for the purpose and he shall be a whole-time officer of the University.

(2) Every Librarian shall exercise such powers and perform such duties as may be assigned to him by the Executive Council.

Meetings of the Court.

11. (1) An annual meeting of the Court shall be held on a date to be fixed by the Executive Council unless some other date has been fixed by the Court in respect of any year

(2) At an annual meeting of the Court, a report on the working of the University during the previous year, together with a statement of the receipts and expenditure, the balance-sheet, as audited, and the financial estimates for the next year shall be presented.

(3) A copy of the statement of receipts and expenditure, the balance-sheet and the financial estimates referred to in clause (2) shall be sent to every member of the Court at least seven days before the date of the annual meeting.

(4) Twelve members of the Court shall form a quorum for a meeting of the Court.

(5) Special meetings of the Court may be convened by the Executive Council or the Vice-Chancellor, or, if there is no Vice-Chancellor, by a Pro-Vice-Chancellor, or if there is no Pro-Vice-Chancellor, by the Registrar.

Quorum for meetings of the Executive Council.

12. Five members of the Executive Council shall form a quorum for a meeting of the Executive Council.

Powers and functions of Executive Council.

13. (1) The Executive Council shall have the management and administration of the revenue and property of the University and the conduct of all administrative affairs of the University not otherwise provided for.

(2) Subject to the provisions of this Act, these Statutes and the Ordinances, the Executive Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(i) to create teaching and academic posts, to determine the number and emoluments of such posts and to define the duties and conditions of service of Professors, Readers, Lecturers, and other academic staff and Principals of Colleges and Institutions maintained by the University:

Provided that no action shall be taken by the Executive Council in respect of the number, qualifications and the emoluments of teachers and academic staff otherwise than after consideration of the recommendations of the Academic Council;

(ii) to appoint such Professors, Readers, Lecturers and other academic staff, as may be necessary, and Principals of Colleges and Institutions maintained by the University on the recommendation of the Selection Committee constituted for the purpose and to fill up temporary vacancies therein;

(iii) to create administrative, ministerial and other necessary posts and to make appointments thereto in the manner prescribed by the Ordinances;

(iv) to grant leave of absence to any officer of the University, other than the Chancellor and the Vice-Chancellor, and to make necessary arrangements for the discharge of the functions of such officer during his absence;

(v) to regulate and enforce discipline among employees in accordance with these Statutes and the Ordinances;

(*vi*) to manage and regulate the finances, accounts, investments, property, business and all other administrative affairs of the University, and for that purpose, to appoint such agents as it may think fit;

(*vii*) to fix limits on the total recurring and the total non-recurring expenditure for a year on the recommendations of the Finance Committee;

(*viii*) to invest any money belonging to the University, including any unapplied income, in such stocks, funds, shares or securities as it shall, from time to time, think fit, or in the purchase of immovable property in India, with the like powers of varying such investments from time to time;

(*ix*) to transfer or accept transfers of any movable or immovable property on behalf of the University;

(*x*) to provide buildings, premises, furniture and apparatus and other means needed for carrying on the work of the University;

(*xi*) to enter into, vary, carry out and cancel contracts on behalf of the University;

(*xii*) to entertain, adjudicate upon, and, if thought fit, to redress any grievances of the employees and students of the University, who may, for any reason feel aggrieved;

(*xiii*) to appoint examiners and moderators and, if necessary to remove them, and to fix their fees, emoluments and travelling and other allowances, after consulting the Academic Council;

(*xiv*) to select a common seal for the University and provide for the custody and use of such seal;

(*xv*) to make such special arrangements as may be necessary for the residence and discipline of women students;

(*xvi*) to delegate any of its powers to the Vice-Chancellor, the Pro-Vice-Chancellors, the Registrar or the Finance Officer or such other employee or authority of the University or to a Committee appointed by it as it may deem fit;

(*xvii*) to institute fellowships, scholarships, studentships, medals and prizes; and

(*xviii*) to exercise such other powers and perform such other duties as may be conferred or imposed on it by this Act, or these Statutes.

Quorum for meetings of the Academic Council.

14. Nine members of the Academic Council shall form a quorum for a meeting of the Academic Council.

Powers of the Academic Council.

15. Subject to this Act, these Statutes and the Ordinances, the Academic Council shall, in addition to all other powers vested in it, have the following powers, namely:—

(*a*) to exercise general supervision over the academic policies of the University and to give directions regarding methods of

instruction, co-operative teaching among Colleges and Institutions, evaluation of research or improvements in academic standards,

(b) to bring about inter-School co-ordination, to establish or appoint Committees or Boards, for taking up projects on an inter-School basis,

(c) to consider matters of general academic interest either on its own initiative or on a reference by a School or the Executive Council and to take appropriate action thereon, and

(d) to frame such regulations and rules consistent with these Statutes and the Ordinances regarding the academic functioning of the University, discipline, residences, admissions, award of fellowships and studentships, fee concessions, corporate life and attendance

Provided that the powers of the Academic Council shall, during the period of six months immediately after the commencement of this Act, be performed by the Planning Board referred to in section 23

The Planning Board

16. (1) The members of the Planning Board shall be appointed by the Visitor and shall hold office for such period as he may determine.

(2) The Planning Board shall, in addition to all other powers vested in it by this Act, have the rights to advise the Executive Council and the Academic Council on any academic matter.

(3) On the date determined by the Visitor under sub-section (3) of section 23, this Statute shall cease to have effect

Schools of Studies and Departments.

17. (1) The University shall have such Schools of Studies as may be specified by the Ordinances.

(2) Every School shall have a School Board. The members of the first School Board shall be nominated by the Executive Council and shall hold office for a period of three years.

(3) The powers and functions of a School Board shall be prescribed by the Ordinances.

(4) The conduct of the meetings of a School Board and the quorum required for such meetings shall be prescribed by the Ordinances.

(5) (a) Each School shall consist of such Departments as may be assigned to it by the Ordinances.

(b) No Department shall be established or abolished except by these Statutes:

Provided that the Executive Council may, on the recommendation of the Academic Council, establish Centres of Studies to which may be assigned such teachers of the University as the Executive Council may consider necessary

(c) Each Department shall consist of the following members namely:—

(i) teachers of the Department,

(ii) persons conducting research in the Department,

(*iii*) Dean of the School or Deans of the Schools concerned;

(*iv*) honorary Professors, if any, attached to the Department; and

(*v*) such other persons as may be members of the Department in accordance with the provisions of the Ordinances.

Boards of Studies.

18. (*1*) Each Department shall have two Boards of Studies, one for Post-graduate Studies and the other for Under-graduate Studies.

(*2*) The constitution of a Board of Post-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

(*3*) The functions of a Board of Post-graduate Studies shall be to approve subjects for research for various degrees and other requirements of research degrees and to recommend to the concerned School Board in the manner prescribed by the Ordinances:—

(*a*) courses of studies and appointment of examiners for post-graduate courses, but excluding research degrees;

(*b*) appointment of supervisors of research; and

(*c*) measures for the improvement of the standard of post-graduate teaching and research

Provided that the above functions of a Board of Post-graduate Studies shall, during the period of three years immediately after the commencement of this Act, be performed by the Department.

(*4*) The constitution and functions of a Board of Under-graduate Studies and the term of office of its members shall be prescribed by the Ordinances.

Finance Committee.

19. (*1*) The Finance Committee shall consist of the following members, namely:—

(*i*) The Vice-Chancellor;

(*ii*) A Pro-Vice-Chancellor appointed by the Executive Council;

(*iii*) Three persons nominated by the Executive Council, out of whom at least one shall be a member of the Executive Council; and

(*iv*) Three persons nominated by the Visitor.

(*2*) Five members of the Finance Committee shall form a quorum for a meeting of the Finance Committee.

(*3*) All the members of the Finance Committee, other than *ex-officio* members, shall hold office for a term of three years.

(*4*) A member of the Finance Committee shall have the right to record a minute of dissent if he does not agree with any decision of the Finance Committee.

(*5*) The Finance Committee shall meet at least twice every year to examine the accounts and to scrutinise proposals for expenditure.

(*6*) The annual accounts and the financial estimates of the University prepared by the Finance Officer shall be laid before the Finance Committee for consideration and comments and thereafter submitted to the Executive Council for approval.

(*7*) The Finance Committee shall recommend limits for the total recurring expenditure and the total non-recurring expenditure for the year, based on the income and resources of the University (which, in the case of productive works, may include the proceeds of loans).

Selection Committees.

20. (*1*) There shall be Selection Committees for making recommendations to the Executive Council for appointment to the posts of Professor,

Reader, Lecturer, Librarian and Principals of Colleges and Institutions maintained by the University.

(2) The Selection Committee for appointment to the posts specified in column 1 of the Table below shall consist of the Vice-Chancellor, a Pro-Vice-Chancellor appointed by the Executive Council, a nominee of the Visitor and the persons specified in the corresponding entry in column 2 of the said Table:

TABLE

1	2
Professor	(i) The Head of the Department concerned, if he is a Professor. (ii) One Professor to be nominated by the Vice-Chancellor. (iii) Three persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Professor will be concerned.
Reader/ Lecturer	(i) The Head of the Department concerned. (ii) One Professor to be nominated by the Vice-Chancellor. (iii) Two persons not in the service of the University, nominated by the Executive Council, out of a panel of names recommended by the Academic Council for their special knowledge of or interest in the subject with which the Reader or Lecturer will be concerned.
Librarian	(i) Two persons not in the service of the University, who have special knowledge of the subject of Library Science/Library Administration to be nominated by the Executive Council. (ii) One person, not in the service of the University, nominated by the Executive Council.
Principal of College or Institution maintained by the University	Three persons not in the service of the University of whom two shall be nominated by the Executive Council and one by the Academic Council for their special knowledge of or interest in a subject in which instruction is being provided by the College or Institution.

NOTE 1.—Where the appointment is being made for an inter-disciplinary project, the Head of the project shall be deemed to be the Head of the Department concerned.

NOTE 2.—The Professor to be nominated shall be a Professor concerned with the speciality for which the selection is being made and that the Vice-Chancellor shall consult the Head of the Department and the Dean of School before nominating the Professor.

(3) The Vice-Chancellor, or in his absence, the senior-most Pro-Vice-Chancellor, shall preside at the meetings of a Selection Committee.

(4) The meetings of a Selection Committee shall be convened by the Vice-Chancellor or in his absence, by the senior-most Pro-Vice-Chancellor.

(5) The procedure to be followed by a Selection Committee in making recommendations shall be laid down in the Ordinances.

(6) If the Executive Council is unable to accept the recommendations made by a Selection Committee, it shall record its reasons and submit the case to the Visitor for final orders.

(7) Appointments to temporary posts shall be made in the manner indicated below:—

(*i*) If the temporary vacancy is for a duration longer than one academic session, it shall be filled on the advice of the Selection Committee in accordance with the procedure indicated in the foregoing clauses:

Provided that if the Vice-Chancellor is satisfied that in the interests of work it is necessary to fill the vacancy, the appointment may be made on a purely temporary basis by a local Selection Committee referred to in sub-clause (*ii*) for a period not exceeding six months.

(*ii*) If the temporary vacancy is for a period less than a year, an appointment to such vacancy shall be made on the recommendation of a local Selection Committee consisting of the Dean of the School concerned, the Head of the Department and a nominee of the Vice-Chancellor:

Provided that if the same person holds the offices of the Dean and the Head of the Department, the Selection Committee may contain two nominees of the Vice-Chancellor:

Provided further that in case of sudden casual vacancies of teaching posts caused by death or any other reason, the Dean may, in consultation with the Head of the Department concerned, make a temporary appointment for a month and report to the Vice-Chancellor and the Registrar about such appointment.

(*iii*) No teacher appointed temporarily shall, if he is not recommended by a regular Selection Committee for appointment under these Statutes, be continued in service on such temporary employment, unless he is subsequently selected by a local Selection Committee or a regular Selection Committee, for a temporary or permanent appointment, as the case may be.

Special mode of appointment.

21. (*1*) Notwithstanding anything contained in Statute 20, the Executive Council may invite a person of high academic distinction and professional attainments to accept a post of Professor or Reader or any other academic post in the University, as the case may be, on such terms and conditions as it deems fit, and on the person agreeing to do so, appoint him to the post.

(*2*) The Executive Council may appoint a teacher or any other academic staff working in any other University or organisation for undertaking a joint project in accordance with the manner laid down in the Ordinances.

Appointment for a fixed tenure.

22. The Executive Council may appoint a person selected in accordance with the procedure laid down in Statute 20 for a fixed tenure on such terms and conditions as it deems fit.

Recognised teachers.

23. (*1*) The qualifications of recognised teachers shall be such as may be prescribed by the Ordinances.

(*2*) All applications for the recognition of teachers shall be made in such manner as may be laid down in the Ordinances.

(3) No teacher shall be recognised as a teacher except on the recommendation of a Selection Committee constituted for the purpose in the manner laid down in the Ordinances.

(*4*) The period of recognition of a teacher shall be determined by Ordinances made in that behalf.

(*5*) The Academic Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw recognition from a teacher:

Provided that no such resolution shall be passed until a notice in writing has been given to the person concerned calling upon him to show cause, within such time as may be specified in the notice, why such resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Academic Council.

(*6*) Any person aggrieved by an order of withdrawal under clause (*5*) may, within three months from the date of communication to him of such order, appeal to the Executive Council which may pass such orders thereon as it thinks fit.

Committees.

24. Any authority of the University may appoint as many standing or special committees as it may deem fit, and may appoint to such committees persons who are not members of such authority. Any such committee may deal with any subject delegated to it subject to subsequent confirmation by the authority appointing it.

Terms and conditions of service of University teachers.

25. (*1*) All the teachers of the University shall, in the absence of any agreement to the contrary, be governed by the terms and conditions of service as specified in these Statutes, the Ordinances and the Regulations.

(*2*) Every teacher of the University shall be appointed on a written contract, the form of which shall be prescribed by the Ordinances. A copy of the contract shall be deposited with the Registrar.

Seniority lists.

26. (*1*) Whenever, in accordance with these Statutes, any person is to hold an office or be a member of an authority of the University by rotation according to seniority, such seniority shall be determined according to the length of continuous service of such person in his grade, and, in accordance with such other principles as the Executive Council may, from time to time, prescribe.

(*2*) It shall be the duty of the Registrar to prepare and maintain, in respect of each class of persons to whom the provisions of these Statutes apply, a complete and up-to-date seniority list in accordance with the provisions of clause (*1*).

(3) If two or more persons have equal length of continuous service in a particular grade or the relative seniority of any person or persons is otherwise in doubt, the Registrar may, on his own motion and shall, at the request of any such person, submit the matter to the Executive Council whose decision thereon shall be final.

Removal of teachers.

27. (1) Where there is an allegation of misconduct against a teacher, or a member of the academic staff, the Vice-Chancellor may, if he thinks fit, by order in writing, place the teacher under suspension and shall forthwith report to the Executive Council the circumstances in which the order was made:

Provided that the Executive Council may, if it is of the opinion, that the circumstances of the case do not warrant the suspension of the teacher or a member of the academic staff, revoke such order.

(2) Notwithstanding anything contained in the terms of his contract of service or of his appointment, the Executive Council shall be entitled to remove a teacher or a member of the academic staff on the ground of misconduct.

(3) Save as aforesaid, the Executive Council shall not be entitled to remove a teacher or a member of the academic staff except for good cause and after giving three months' notice in writing or on payment of three months' salary in lieu of notice.

(4) No teacher or a member of the academic staff shall be removed under clause (2) or under clause (3) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(5) The removal of a teacher or a member of the academic staff shall require a two-thirds majority of the members of the Executive Council present and voting.

(6) The removal of a teacher or a member of the academic staff shall take effect from the date on which the order of removal is made:

Provided that where a teacher or a member of the academic staff is under suspension at the time of his removal, the removal shall take effect from the date on which he was placed under suspension.

(7) Notwithstanding anything contained in these Statutes, a teacher or a member of the academic staff may resign by giving three months' notice in writing to the Executive Council or on payment of three months' salary in lieu thereof.

Removal of employees other than teachers of the University.

28. (1) Notwithstanding anything contained in the terms of his contract of service or of his appointment, an employee, other than a teacher or a member of the academic staff, may be removed by the authority which is competent to appoint the employee—

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months

(*d*) if he is otherwise guilty of misconduct:

Provided that no employee shall be removed from his office unless a resolution to that effect is passed by the Executive Council by a majority of two-thirds of its members present and voting.

(*2*) No employee shall be removed under clause (*1*) until he has been given a reasonable opportunity of showing cause against the action proposed to be taken in regard to him.

(*3*) Where the removal of such employee is for a reason other than that specified in sub-clause (*c*) or sub-clause (*d*) of clause (*1*), he shall be given three months' notice in writing or paid three months' salary in lieu of such notice.

(*4*) Notwithstanding anything contained in these Statutes, an employee, not being a teacher or a member of the academic staff, shall be entitled to resign,—

(*i*) if he is a permanent employee, only after giving three months' notice in writing to the apointing authority or paying to the University three months' salary in lieu thereof;

(*ii*) if he is not a permanent employee, only after giving one months' notice in writing to the appointing authority or paying to the University one month's salary in lieu thereof:

Provided that such resignation shall take effect from the date on which the resignation is accepted by the appointing authority.

Honorary degrees.

29. (*1*) The Executive Council may, on the recommendation of the Academic Council and by a resolution passed by a majority of not less than two-thirds of the members present and voting, make proposals to the Visitor for the conferment of honorary degrees:

Provided that in case of emergency, the Executive Council may, on its own, make such proposals.

(*2*) The Executive Council may, by a resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw, with the previous sanction of the Visitor, any honorary degree conferred by the University.

With-drawal of degrees, etc.

30. The Executive Council may, by a special resolution passed by a majority of not less than two-thirds of the members present and voting, withdraw any degree or academic distinction conferred on, or any certificate or diploma granted to, any person by the University for good and sufficient cause:

Provided that no such resolution shall be passed until a notice in writing has been given to that person calling upon him to show cause within such time as may be specified in the notice why such a resolution should not be passed and until his objections, if any, and any evidence he may produce in support of them, have been considered by the Executive Council.

Maintenance of discipline among students of the University.

31. (*1*) All powers relating to discipline and disciplinary action in relation to students of the University shall vest in the Vice-Chancellor.

(*2*) The Vice-Chancellor may delegate all or any of his powers as he deems proper to a Proctor and to such other officers as he may specify in this behalf.

(*3*) Without prejudice to the generality of his powers relating to the maintenance of discipline and taking such action, as may seem to him appropriate for the maintenance of discipline, the Vice-Chancellor may, in the exercise of his powers, by order, direct that any student or students be expelled, or rusticated, for a specified period, or be not admitted to a course or courses of study in a College, Institution or Department of the University for a stated period, or be punished with fine for an amount to be specified in the order, or be debarred from taking an examination or examinations conducted by the University, College, Institution or a Department for one or more years, or that the results of the student or students concerned in the examination or examinations in which he or they have appeared be cancelled.

(*4*) The Principals of Colleges, Institutions, Heads of Special Centres, Deans of Schools of Studies and Heads of teaching Departments in the University shall have the authority to exercise all such disciplinary powers over the students in their respective Colleges, Institutions, Special Centres, Schools and teaching Departments in the University as may be necessary for the proper conduct of such Colleges, Institutions, Special Centres, Schools and teaching in the Departments.

(*5*) Without prejudice to the powers of the Vice-Chancellor, the Principals and other persons specified in clause (*4*), detailed rules of discipline and proper conduct shall be made by the University. The Principals of Colleges, Institutions, Heads of Special Centres, Deans of Schools of Studies and Heads of teaching Departments in the University may also make the supplementary rules as they deem necessary for the aforesaid purposes. Every student shall be supplied with a copy of the rules made by the University and a copy of the supplementary rules shall be supplied to the students concerned.

(*6*) At the time of admission, every student shall be required to sign a declaration to the effect that he submits himself to the disciplinary jurisdiction of the Vice-Chancellor and other authorities of the University.

Maintenance of discipline among students of Colleges, etc.

32. All powers relating to discipline and disciplinary action in relation to students of a College or an Institution, not maintained by the University, shall vest in the Principal of the College or Institution, as the case may be, in accordance with the procedure prescribed by the Ordinances.

Admission of Colleges, etc., to the privileges of the University.

33. (*1*) Colleges and other Institutions situated within the jurisdiction of the University may be admitted to such privileges of the University as the Executive Council may decide on the following conditions, namely:—

(*i*) Every such College or Institution shall have a regularly constituted Governing Body, consisting of not more than fifteen persons approved by the Executive Council and including, among others, two teachers of the University to be nominated by the Executive Council

and three representatives of the teaching staff of whom the Principal of the College or Institution shall be one. The procedure for appointment of members of the Governing Body and other matters affecting the management of a College or an Institution shall be prescribed by the Ordinances:

Provided that the said condition shall not apply in the case of Colleges and Institutions maintained by Government which shall, however, have an Advisory Committee consisting of not more than fifteen persons which shall consist of, among others, three teachers including the Principal of the College or Institution, and two teachers of the University nominated by the Executive Council.

(*ii*) Every such College or Institution shall satisfy the Executive Council on the following matters, namely:—

(*a*) the suitability and adequacy of its accommodation and equipment for teaching;

(*b*) the qualifications and adequacy of its teaching staff and the conditions of their service;

(*c*) the arrangements for the residence, welfare, discipline and supervision of students;

(*d*) the adequacy of financial provision made for the continued maintenance of the College or Institution; and

(*e*) such other matters as are essential for the maintenance of the standards of University education.

(*iii*) No College or Institution shall be admitted to any privileges of the University except on the recommendation of the Academic Council made after considering the report of a Committee of Inspection appointed for the purpose by the Academic Council.

(*iv*) Colleges and Institutions desirous of admission to any privileges of the University shall be required to intimate their intention to do so in writing so as to reach the Registrar not later than the 15th August, preceding the year from which permission applied for is to have effect.

(*v*) A College or an Institution shall not, without the previous permission of the Executive Council and the Academic Council, suspend instruction in any subject or course of study which it is authorised to teach and teaches.

(2) Appointment to the teaching staff and Principals of Colleges or Institutions admitted to the privileges of the University shall be made in the manner prescribed by the Ordinances:

Provided that nothing in this clause shall apply to Colleges and Institutions maintained by Government.

(3) The service conditions of the administrative and other non-academic staff of every College or Institution referred to in clause (2) shall be such as may be laid down in the Ordinances:

Provided that nothing in this clause shall apply to Colleges and Institutions maintained by Government,

(4) Every College or Institution admitted to the privileges of the University shall be inspected at least once in every two academic years by a Committee appointed by the Academic Council, and the report of that Committee shall be submitted to the Academic Council, which shall forward the same to the Executive Council with such recommendations as it may deem fit to make. The Executive Council, after considering the report and the recommendations, if any, of the Academic Council, shall forward a copy of the report to the Governing Body of the College or Institution with such remarks, if any, as it may deem fit, for suitable action.

(5) The Executive Council may, after consulting the Academic Council, withdraw any privileges granted to a College or Institution, at any time it considers that the College or Institution does not satisfy any of the conditions on the fulfilment of which the College or Institution was admitted to such privileges:

Provided that before any privileges are so withdrawn, the Governing Body of the College or Institution concerned shall be given an opportunity to represent to the Executive Council why such action should not be taken.

(6) Subject to the conditions set forth in clause (1), the Ordinances may prescribe—

(i) such other conditions as may be considered necessary;

(ii) the procedure for the admission of Colleges and Institutions to the privileges of the University and for the withdrawal of those privileges.

Convocations.

34. Convocations of the University for the conferring of degrees or for other purposes shall be held in such manner as may be prescribed by the Ordinances.

Acting Chairman of meetings.

35. Where no provision is made for a President or Chairman to preside over a meeting of any authority of the University or any Committee of such authority or when the President or Chairman so provided for is absent, the members present shall elect one from among themselves to preside at such meeting.

Resignation.

36. Any member, other than an *ex-officio* member of the Court, the Executive Council, the Academic Council or any other authority of the University or any Committee of such authority may resign by letter addressed to the Registrar and the resignation shall take effect as soon as such letter is received by the Registrar.

Disqualifications.

37. (1) A person shall be disqualified for being chosen as, and for being, a member of any of the authorities of the University—

(a) if he is of unsound mind or is a deaf-mute or suffers from contagious leprosy;

(b) if he is an undischarged insolvent;

(c) if he has been convicted by a court of law of an offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months.

(2) If any question arises as to whether a person is or had been subjected to any of the disqualifications mentioned in clause (1), the question shall be referred for the decision of the Visitor and his decision shall be final and no suit or other proceeding shall lie in any civil court against such decision.

Residence condition for membership and office.

38. Notwithstanding anything contained in these Statutes, no person who is not ordinarily resident in India shall be eligible to be an officer of the University or a member of any authority of the University.

Membership of authorities by virtue of membership of other bodies.

39 Notwithstanding anything contained in these Statutes, a person who holds any post in the University or is a member of any authority or body of the University in his capacity as a member of a particular authority or body or as the holder of a particular appointment shall hold such office or membership only for so long as he continues to be a member of that particular authority or body or the holder of that particular appointment, as the case may be.

Alumni Association.

40. (*1*) There shall be an Alumni Association for the University.

(*2*) The subscription for membership of the Alumni Association shall be prescribed by the Ordinances.

(*3*) No member of the Alumni Association shall be entitled to vote or stand for election unless he has been a member of the Association for at least one year prior to the date of the election and is a graduate of the University of at least five years' standing:

Provided that the condition relating to the completion of one year's membership shall not apply in the case of the first election.

Ordinances how made.

41. (*1*) The first Ordinances made under sub-section (*2*) of section 26 may be amended, repealed or added to at any time by the Executive Council in the manner specified below.

(*2*) No Ordinance in respect of the matters enumerated in section 26, other than those enumerated in clause (*n*) of sub-section (*1*) thereof, shall be made by the Executive Council unless a draft of such Ordinance has been proposed by the Academic Council.

(*3*) The Executive Council shall not have power to amend any draft of any Ordinance proposed by the Academic Council under clause (*2*), but may reject the proposal or return the draft to the Academic Council for re-consideration, either in whole or in part, together with any amendment which the Executive Council may suggest.

(*4*) Where the Executive Council has rejected or returned the draft of an Ordinance proposed by the Academic Council, the Academic Council may consider the question afresh and in case the original draft is re-affirmed by a majority of not less than two-thirds of the members present and voting and more than half the total number of members of the Academic Council, the draft may be sent back to the Executive Council which shall either adopt it or refer it to the Visitor whose decision shall be final.

(*5*) Every Ordinance made by the Executive Council shall come into effect immediately.

(*6*) Every Ordinance made by the Executive Council shall be submitted to the Visitor within two weeks from the date of its adoption. The Visitor shall have the power to direct the University within four weeks of the receipt of the Ordinance to suspend the operation of any such Ordinance and he shall, as soon as possible, inform the Executive Council about his objection to the proposed Ordinance. The Visitor may,

after receiving the comments of the University, either withdraw the order suspending the Ordinance or disallow the Ordinance, and his decision shall be final.

Regulations.

42. (*1*) The authorities of the University may make Regulations consistent with this Act, and these Statutes and the Ordinances:—

(*a*) laying down the procedure to be observed at their meetings and the number of members required to form a quorum;

(*b*) providing for all matters which are required by this Act, these Statutes or the Ordinances to be prescribed by Regulations;

(c) providing for all other matters solely concerning such authorities or committees appointed by them and not provided for by this Act, these Statutes or the Ordinances.

(*2*) Every authority of the University shall make Regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered at meetings and for the keeping of a record of the proceedings of meetings.

(*3*) The Executive Council may direct the amendment in such manner as it may specify, of any Regulation made under this Statute or the annulment of any such Regulation.

Delegation of powers.

43. Subject to the provisions of this Act and these Statutes, any officer or authority of the University may delegate his or its powers to any other officer or authority or person under his or its respective control and subject to the condition that overall responsibility for the exercise of the powers so delegated shall continue to vest in the officer or authority delegating such powers.

STATEMENT OF OBJECTS AND REASONS

The people of the hill areas of the North-Eastern region have been pressing for a long time for the establishment of a University for the North-Eastern region. In September 1963, some members of Parliament from the hill areas also made a representation to the then Prime Minister in this behalf. The University Grants Commission, to whom the said representation was forwarded, set up a Committee under the Chairmanship of late Professor A. R. Wadia to study the question and make suitable recommendations. The said Committee recommended the setting up of a Central University at Shillong.

2. Legislation in respect of Universities is relatable to entry 11 of the State List in the Seventh Schedule to the Constitution and Parliament has no power to make a law in this behalf (apart from the provisions of articles 249 and 250 of the Constitution) unless the Legislatures of two or more States passed a resolution in pursuance of article 252 of the Constitution empowering Parliament to pass the necessary legislation on the subject. The Legislatures of the States of Meghalaya and Nagaland have passed such resolutions for the establishment of a Central University at Shillong.

3. The Bill seeks to establisch a Central University at Shillong in pursuance of the said resolutions.

NEW DELHI;
The 23rd April, 1973.

S. NURUL HASAN.

FINANCIAL MEMORANDUM

It is difficult to estimate at this stage the expenditure which will be involved for the establishment and maintenance of the University referred to in clause 3 of the Bill. However, the recurring and non-recurring expenditure for the establishment and maintenance of the University during the unexpired portion of the Fourth Plan period is not likely to exceed a sum of rupees one crore. The said expenditure will be met by the University Grants Commission.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 25 of the Bill empowers the Executive Council of the University to make new or additional Statutes or to amend or repeal the Statutes of the University subject to the assent of the Visitor. Sub-clause (5) *of the said clause* empowers the Visitor also to make new or additional Statutes or amend or repeal the Statutes of the University during the period of three years immediately following the commencement of the Act. That sub-clause empowers the Visitor also to make detailed Statutes on the expiry of the said period of three years and such detailed Statutes should be laid before both Houses of Parliament. The matters in respect of which the Executive Council and the Visitor may make, amend or repeal Statutes or the Visitor may make detailed Statutes, relate to the constitution, powers and functions of the University, the manner of appointment of the officers and teachers of the University, the terms and conditions of service of employees of the University and other matters.

2. Clause 26 of the Bill empowers the Vice-Chancellor of the University to make the first Ordinances of the University with the previous approval of the Central Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council. The matters in respect of which Ordinances may be made, or, as the case may be, amended, repealed or added to, relate to the admission of students, courses of study, conduct of examinations, establishment of centres of studies, specialised laboratories and the manner of co-operation and collaboration with other Universities and authorities and other matters.

3. Clause 27 of the Bill, enables the authorities of the University to make Regulations for the conduct of their business and that of the Committees appointed by them.

4. The matters for which Statutes, Ordinances or Regulations may be made pertain to matters of procedure or detail and as such cannot be included in the Bill. The delegation of legislative powers is of a normal character.

S. L. SHAKDHER,
Secretary.

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